

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

This Document Relates to:

Dennis Anderson Word, et al. v. C.R.
Bard, Inc., et al.
Civil Action No.: 2:18-cv-01636

**RESPONSE TO CMO 49
DISMISSAL OF THIS CASE**

Plaintiff, Peggy Sue Word, individually and on behalf of the Estate of Dennis Anderson Word, hereby respectfully submits this response to Case Management Order No. 49 with respect to potential dismissal of the case. Plaintiffs offer the following information with respect to this matter:

1. For a lengthy period of time, Plaintiff Counsel made repeated efforts, as did settlement counsel, to contact Plaintiffs.

2. It has been determined that Mrs. Word recently passed away.

3. We have now found the son of Dennis and Peggy Word, Seth Word, whose contact information has been provided to Matthews & Associates, settlement counsel, so that Mr. Word may accept the settlement offer on behalf of the estate.

4. As the Court was contemplating dismissal of the above referenced matter due to an inability to locate/contact the client, and that has now been resolved, the Plaintiffs respectfully request that this matter not be dismissed for failure to prosecute. Mr. Seth Word's contact information has been given to Matthews & Associates, he has expressed how he wants to accept the award, and therefore this matter should be left to go through the settlement process.

1 RESPECTFULLY SUBMITTED this 17th day of March, 2021.

2 **BURNETT LAW FIRM**

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CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of March, 2021, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

By: /s/Karen H. Beyea-Schroeder

Karen H. Beyea-Schroeder

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